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February 8, 2022

VIA ECF

Honorable Robert Pitman
United States District Judge
United States District Court for the Western District of Texas
501 West 5th Street, Suite 5300
Austin, TX 78701

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Re: Commodity Futures Trading Commission ("CFTC") v. Cartu, et al., 1:20-cv-00908-RP

Dear Judge Pitman:

We write to inform the Court of the parties' agreed-upon schedule for David, Jonathan, and Joshua Cartu's respective replies to the CFTC's opposition to their respective Motions to Dismiss.¹

The parties had previously agreed that David, Jonathan, and Joshua Cartu would have two weeks from the CFTC's opposition to file replies. (*See* Dkt. 56.) Per this Court's grant of the parties' Unopposed Motion for Extension of Time to File Responses (Dkt. 57), the CFTC's time for its response was extended until March 21, 2022. Accordingly, in order to effectuate the parties' agreement that there will be two weeks in which to reply to the CFTC's opposition, the parties agree that David, Jonathan, and Joshua Cartu, should they choose to file a replies, shall file their replies on or before April 7, 2022.

During the January 4, 2022 pre-trial conference, the Court noted these types of deadlines need not be approved by this Court and could be modified by agreement of the parties. Nevertheless, we wanted to keep the Court apprised of when such filings are to be expected.

Of course, we are happy to answer any questions the Court may have.

Respectfully submitted,

/s/ Glenn Colton

Glenn Colton

/s/ Michelle J. Shapiro

Michelle J. Shapiro

cc: Counsel of record via ECF

¹ This letter is filed expressly reserving all rights, including but not limited to regarding jurisdiction, venue, and the power of the Court over defendants and the propriety of this jurisdiction.